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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/408,794	09/30/1999	KAUSHAL KURAPATI	PHA-23.790	4468

7590 11/04/2002

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EXAMINER
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QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

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DATE MAILED: 11/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/408,794

Applicant(s)

KURAPATI ET AL.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 1999.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant argued that Rapaport et al does not provide a virtual library with many virtual media collections according to a user profile. Applicant also argued that Rapaport et al does not provide the method of browsing by moving between media collections.

Rapaport teaches a virtual unified space in which the user may browse a search engine through the use of a key word, Rapaport et al does not disclose expressly that the virtual unified space is a virtual library or that the library may be browsed by moving between the plurality of different media collections.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to present the search engine in the form of library with floors in which the user may browse by moving between a plurality of different media collections. One of ordinary skill in the art would have expected Applicant's invention to perform equally well with Rapaport et al because it is an obvious variation that equally results in the user easily retrieving desired media files.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapaport et al (U.S. 5,890,152).

As per claims 1 and 19, Rapaport et al. teach a method of realizing personalized information for a user from multiple information sources, comprising:

- establishing a user profile for the user based on various interests of the user (column 2, lines 41-44);
- establishing a virtual unified space (column 2, lines 27-40);
- populating the virtual unified space with a plurality of different virtual media collections in accordance with the user profile (column 5, lines 36-39); and
- browsing the unified space under user control (column 5, lines 29-42).

Rapaport teaches a virtual unified space in which the user may browse a search engine through the use of a key word, Rapaport et al does not disclose expressly that the virtual unified

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space is a virtual library or that the library may be browsed by moving between the plurality of different media collections.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to present the search engine in the form of library with floors in which the user may browse by moving between a plurality of different media collections. One of ordinary skill in the art would have expected Applicant's invention to perform equally well with Rapaport et al because it is an obvious variation that equally results in the user easily retrieving desired media files.

Therefore, it would have been obvious to one of ordinary skill in this art to modify Rapaport et al to obtain the invention as specified in claims 1 and 19.

As per claim 4, Rapaport et al. teach the method of claim 1 as stated above. Rapaport further teaches that the user profile establishing step comprises loading from memory a previously created user profile (column 6, lines 50-60).

As per claim 5, Rapaport et al. teach the method of claim 1 as stated above. Rapaport further teaches that the user profile establishing step comprises:

- presenting a variety of questions to the user about the user's interests (column 7, line 53); and
- creating a user profile based on the user's answers to the questions (column 7, lines 51-78).

As per claim 6, Rapaport et al. teach the method of claim 1 as stated above. Rapaport further teaches that the populating step comprises:

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- acquiring information items from a plurality of information sources of different media type in accordance with the user profile (figure 15a); and
- placing the information items into the virtual multiple media collections based on their respective information sources (figure 15a).

As per claim 7, Rapaport et al. teach the step of claim 1 as stated above. Rapaport further teaches that the populating step comprises:

- comparing the user profile with a collective profile database to establish a similar collective profile (column 18, lines 58-67; column 19, lines 1-16);
- acquiring information items from a plurality of information sources of different media type in accordance with the collective profile (column 18, lines 58-67; column 19, lines 1-16); and
- media collections based on their respective information sources (column 18, lines 58-67; column 19, lines 1-16).

As per claim 8, Rapaport et al. teach the step of claim 7 as stated above. Rapaport further teaches that the method comprises :

- identifying a selection of at least one of the information items by the user from one of the media collections (column 3, lines 22-24); and updating the user profile in accordance with the identifying step (column 3, lines 24-26).

As per claim 11, Rapaport et al. teach the step of claim 1 further comprising:

- searching the virtual unified space with a search engine under user control (column 5, lines 29-42); and
- updating the user profile in accordance with the search step (column 5, lines 29-42).

As per claim 12, Rapaport et al. teach the step of claim 11 further comprising storing results of the searching step as media collections in the unified space for browsing by the user (column 5, lines 29-42).

As per claim 13, Rapaport et al. teach the step of claim 12 further comprising filtering results of the searching step in accordance with the user profile (column 9, 29-39; column 10, lines 32-50).

As per claim 14, Rapaport et al. teach the step of claim 13, further comprising prioritizing results of the searching step in accordance with the user profile (column 38, lines 15-24; column 38, lines 30-35).

As per claim 15, Rapaport et al. teach a receiver apparatus for obtaining content from multiple information sources for viewing by a viewer, comprising:

- an input/output (“I/O”) controller including an Internet connection input, a video output, and a selector input (column 2, lines 29-34);
- and adaptive user profile database (column 2, line 34);
- a filter coupled to the adaptive user profile database, the filter being coupled to the I/O controller for filtering information from the Internet connection input in accordance with the adaptive user profile database (column 33, lines 36-55; column 13, lines 24-33);
- means for displaying a virtual unified space through the video output (column 2, line 30);
- means for populating the virtual unified space with virtual multiple media collections using the filtered information from the implicit filter (column 33, lines 36-55); and

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- means for browsing the unified space in accordance with the selector input (column 33, lines 36-55).

Rapaport teaches a virtual unified space in which the user may browse a search engine through the use of a key word, Rapaport et al does not disclose expressly that the virtual unified space is a virtual library or that the library may be browsed by moving between the plurality of different media collections.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to present the search engine in the form of library with floors in which the user may browse by moving between a plurality of different media collections. One of ordinary skill in the art would have expected Applicant's invention to perform equally well with Rapaport et al because it is an obvious variation that equally results in the user easily retrieving desired media files.

Therefore, it would have been obvious to one of ordinary skill in this art to modify Rapaport et al to obtain the invention as specified in claims 1 and 19.

As per claims 9, 16, and 20, Rapaport et al. teach the method of claims 1, 15, and 19 as stated above, wherein the media collections comprise respective pluralities of similarly classifiable information items, further comprising:

- means for identifying a selection of at least one of the information items by the user from one of the media collections (column 3, lines 22-24); and
- means for updating the user profile in accordance with the identifying step (column 3, lines 24-26).



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Claims 2, 3, 10, 17, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapaport et al.

As per claims 2 and 3, Rapaport et al. teach claim 1 above in the disclosure of their invention. Rapaport et al. fail to teach that the virtual unified space is a library or that it comprises a plurality of floors of a virtual library.

Rapaport teaches a virtual unified space in which the user may browse a search engine through the use of a key word, Rapaport et al does not disclose expressly that the virtual unified space is a virtual library with floors.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to present the search engine in the form of library with floors. One of ordinary skill in the art would have expected Applicant's invention to perform equally well with Rapaport et al because it is an obvious variation that equally results in the user easily retrieving desired media files.

Therefore, it would have been obvious to one of ordinary skill in this art to modify Rapaport et al to obtain the invention as specified in claim 15.

As per claims 10, 17, and 21, Rapaport et al. teach the method of linking two similar profiles and providing them with similar media collections (column 18, lines 58-67; column 19, lines 1-16). Rapaport et al. do not teach the maintaining of a collaborative database. It would be obvious to one of ordinary skill in the art at the time the invention was made to augment the user profile in accordance with a collaborative data base because it would decrease the filtering required and could be used to refer the users of common profiles to media collections commonly accessed by users of similar profiles.

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As per claim 18, Rapaport et al. teach the method as in claim 17 wherein the I/O controller further comprises an input for receiving television programs, including additional information through the television program and electronic program guide information, the filter being coupled to the I/O controller for filtering information from the television program input in accordance with the adaptive user profile database (column 13, lines 24-33). This is inherent to the invention of Rapaport et al., because the invention refers to 'media files', which include television programs.


### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (703) 308-6118. The examiner can normally be reached on Monday - Friday, 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

SQ  
November 3, 2002

  
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